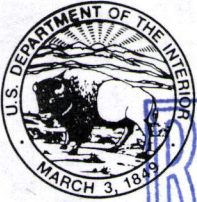
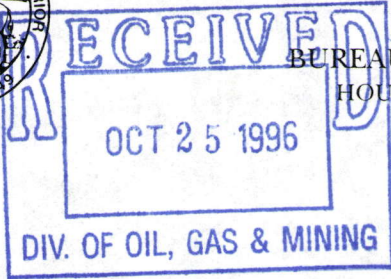


M/023/003



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
HOUSE RANGE RESOURCE AREA

35 East 500 North
P.O. Box 778
Fillmore, Utah 84631

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IN REPLY REFER TO:

3800
(U-054)
UTU-063446

October 22, 1996

GREG HAWKINS
MINE MANAGER
BRUSH WELLMAN ENGINEERED MATERIALS
PO BOX 815
DELTA UT 84624

Dear Mr. Hawkins:

Thank you for meeting with Ron Teseneer on September 10, 1996. We apologize for the delay in our response to the meeting, but we needed the additional time to familiarize ourselves with Brush Wellman's case file.

The Utah Division of Oil, Gas and Mining (UDOGM) has varianced and released from further reclamation responsibility several hundred acres of waste dumps. The Bureau of Land Management usually concurs with UDOGM's decisions on these matters, and has concurred with release of some of the dumps, but our records indicate that we did not participate in the decision to release the majority of the acreage UDOGM has varianced. Because the reclamation bond is jointly held by both agencies, our concurrence would normally be required; however, our research also indicates that all of the waste dumps released in 1988, except for the 66 acres now referred to as the Roadside/Fluro dump, were created before our reclamation regulations were in effect; and unless these areas are redisturbed we have no authority to require reclamation of them.

There are three major sites of post-1981 disturbance for which you have requested release. One of these, the 65.98 acre portion of the Roadside/Fluro #3 waste dump is shown as varianced on the map you gave to Ron during the inspection. We cannot find in our file any record of either UDOGM or us having released this acreage, and if you have any records to that effect we would appreciate your sending copies to us. However, our inspection indicated that the site does meet our reclamation standards, and can be released with UDOGM's concurrence, if the Division has not already released it.

The other two sites, the 27.98 acres of the backfilled Roadside #2 pit, and the 22.84 acres of the Sec. 16 #1 pit also meet our reclamation standards, and can be released with UDOGM's concurrence. The .1 mile stretch of roadway on the Sigma Emma dump can also be released, with UDOGM's concurrence.

Much of the remaining disturbance associated with your operation is pre-1981, so we would not include it as outstanding acreage for the purpose of calculating a reclamation bond, if we alone held the bond. However, since the bond is jointly held with UDOGM, it reflects the additional acreage for which we believe the Division requires reclamation.

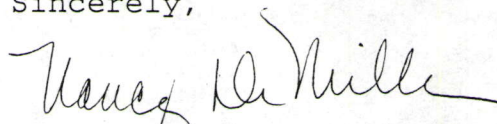
Below is a summary list of reclamation we consider to be either outstanding or shortly will be so (acreages on State Lands omitted, "*" designating estimated acreage, and "***" designation acreages due to be disturbed under the 1996 amendment):

<u>Disturbance</u>	<u>Acreage</u>
<u>#1 Dump</u>	
<u>SECTION 16 LOWER WASTE DUMP</u>	<u>20.0</u>
Roadside/Fluro #3 Pit	20.13
" " " Dump	12.19
Section 16 Pit	13.00*
Blue Chalk North #2 Pit	13.00**
Blue Chalk North #1 Pit	20.64**
Monitor #3 Pit	23.00**
Monitor #3 Dump	29.00**
Blue Chalk South Pit	21.74
Roads	30.00*
	<u>182.70</u>

*CURRENT PIT MINED OUT
ASSOCIATED DUMP
26.4 AC INCLUDING STATE SECT.
NEW PIT
EXISTING - OPEN - BACKFILL
NEW PIT
2/3 BACKFILLED OUTER RIM WILL
BE DUMPON BY BLUE CHALK
NORTH #2
HASN'T BEEN RESEED*

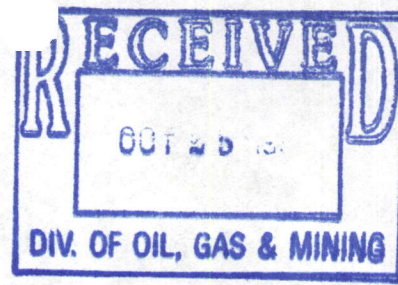
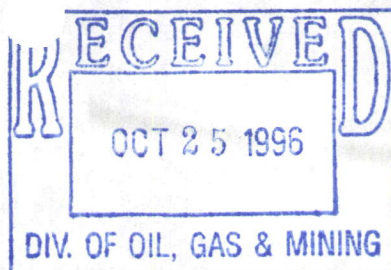
Please contact Ron Teseneer at (801)743-6811 if you have any comments or questions. Thank you for your support in properly managing the public lands.

Sincerely,



Rex Rowley
Area Manager

cc: Tom Munson, UDOGM (with attachment)



Notes about released acreage in the Brush Wellman File

In item (3) on page 2 of the 9/28/88 letter from Lowell Braxton to Brush Wellman, he states:

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"On page 46 of the MRP, the operator has requested a variance from rule M-10(12) for the revegetation of 255 acres of tuff covered dumps, and 177 acres of rhyolite covered dumps.

The Division granted a variance for the tuff covered dumps in a letter dated January 19, 1988..."

The 1/19/88 letter only addressed the Roadside 1 and 2 and the Sigma Emma dumps. If you refer to page 46 of the 1988 MRP (Vol. III) it lists the 177 acres of the rhyolite dumps, but not the tuff-covered ones. However, on page 9 of volume 1, there is a breakdown of the acreages of all the dumps, with a total at the bottom of 412 acres. This leads me to believe that the 255 acres of tuff covered dumps Braxton referred to should have been 235, 114 for the Roadside, 65 for the Fluro, and 56 for the Sigma Emma (If you refer back to Vol III, page 46, 13 acres of the Sigma Emma dump are rhyolite covered.) And, as referred to earlier, the Fluro dump was never released as intimated in the 9/28/88 letter.

Item 3 of the 9/28/88 letter also stipulates that the rhyolite covered dumps would be released if they were seeded with a stated seed mixture. We have records in our file that the upper portions of the Rainbow and Blue Chalk North were released in 1994, but we have no record of the Blue Chalk South or the Taurus pits having been so.

In the 1988 column of Addendum 2 of the 1991 EOY report, 24.4 acres of the Blue Chalk North dump are listed as Tuff-covered, which is contrary to the 1998 MRP, which listed it as rhyolite covered, and 13.3 acres of the Sigma Emma dump is listed as tuff covered, as opposed to rhyolite covered in the MRP. The remaining 56.1 acres of the Sigma Emma file was implied to be tuff-covered in the MRP, but listed as rhyolite covered in the 1991 EOY report. Also, the 1991 report lists the Blue Chalk South acreage as 69.0 in the 1988 column, but the MRP reports it as 48.4.

There is no mention of any existing disturbance on the 1988 MRP of the Monitor site, however, the 1991 report it shows the pit and dump as varianced, but we have no record indicating the reason, although we do understand that these disturbances were created by Anaconda, but not Brush.

The total unreclaimed acreage claimed by Brush as of 9/10/96 is:

Taurus Pit	12.72
Sigma Emma Pit	24.19
Roadside #2 Pit	18.31
Roadside Flouro #3 Pit*	20.13
Roadside #1 Pit	11.15
Fluro Pit	23.89
Rainbow Dump	39.57
Rainbow Pit	26.20
Blue Chalk South Pit	28.27
Blue Chalk South Dump	23.62
Blue Chalk North Pit	20.64
Blue Chalk North Dump	4.04
Section 16 N #1 Pit*	26.34
Section 16 N #1 Dump	22.88
Blue Chalk North #2 Pit**	13.00
Monitor #3 Pit**	23.00
Monitor #3 Dump**	29.00
	<u>366.95</u>

*Post 1981 acreage counted as outstanding by the BLM

**Acreage due to be disturbed right away

Herb Wynn
10/21/96

ADDENDUM 2

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TOPAZ MINING PROPERTY – MINING & RECLAMATION PLAN
Disturbed Acreage, Existing and Proposed

ADDENDUM TO VOLUME 3, TABLE 2.4–1
As Per Aerial Photography Dated June 15, 1991

Pit Complexes	Pits			Dumps			Reclaimed to MRP Pits / Dumps
	1988	Existing	Change	1988	Existing	Change	
Roadside 1&2	56.6	17.46 *	-39.14 backfill	113.6	57.23 V 1/19/88	-56.37 Tuff Rhyolite	No / Yes 92 / Variance
Blue Chalk North	19.6	20.64 *	1.04	24.4	19.04 V 9/28/88 10/20/94	-5.36 Tuff Rhyolite	No / Yes / Variance
Blue Chalk South	29.7	6.53 *	-23.17 backfill	69.0	46.26 R 9/28/88	-22.74 Tuff Rhyolite	No / Yes
Fluro	22.6	23.89 *	1.29	64.9	69.16 V 9/28/88	4.26 Tuff Rhyolite	No / Yes / Variance
Sigma Emma	26.7	24.19 V	-2.51	13.3 56.1	16.79 V 65.56 R 9/28/88 10/20/94	3.51 9.46 Tuff Rhyolite	Yes / Yes / Yes
Taurus	13.2	12.72 V	-0.48	33.3	36.35 R 9/28/88	3.05 Tuff Rhyolite	Yes / Yes
Rainbow	34.9	26.20 *	-8.70	58.0	58.07 R 9/28/88 10/20/94	0.07 Tuff Rhyolite	No / Yes
Roadside/Fluro 3	16.3 proposed	20.13 *	3.81	backfill	capped 106.15 *	106.15 Tuff Rhyolite	No / No
Section 16 North #1	10.7 proposed	26.34 *	15.64	backfill	84.06 *	84.06 Tuff Rhyolite	No / No
Monitor (Anaconda)	8.8	8.82 V	0.00	26.2	26.23 V	0.00 Tuff Rhyolite	Yes / Yes
Totals(Pits & Dumps)	239.1	186.92	-52.22	242.4 216.4 458.8	188.45 396.45 584.90	-53.96 180.05 126.09 Tuff Rhyolite Both	
Net Change of Acres Disturbed		73.87					

SUMMARY

Existing Acres

		Variance(V)	Reclaimed(R)		* Existing MRP Balance
Pits	186.92 Acres	-45.73	0	=	141.19 Acres
Tuff Dumps	188.45 Acres	-188.45	0	=	0 Acres
Rhyolite Dumps	396.45 Acres	0	-206.24	=	190.21 Acres
Misc.(roads, etc.)	48.54 Acres	0	-11.20	=	37.34 Acres
Total Disturbed	820.36 Acres	-234.18	-217.44	=	368.74 Acres

Table 2.4-1 Disturbed Acreage, Existing and Proposed

<u>Pit Complexes</u>	<u>Pits</u>		<u>Dumps</u>	
	<u>Existing</u>	<u>Proposed</u>	<u>Existing</u>	<u>Proposed</u>
Roadside	56.6	-	113.6 T	-
Blue Chalk North	19.6	17.9	24.4 R	B
Blue Chalk South	29.7	22.8	48.4 R	29.8
Fluro	22.6	19.1	64.9 T	*
Sigma Emma	26.7	-	69.4 ^{BR} _{56T}	-
Taurus	13.2	-	33.3 R	-
Rainbow	34.9	26.5	58.0 R	B
Roadside/Fluro	-	36.5	-	B
Section 16 North	-	47.2	-	B
Section 16 South	-	19.0	-	71.0 & B
Monitor	-	68.7	-	82.5
Camp	-	17.1	-	30.5
Southwind		<u>24.2</u>		<u>39.3</u>
Totals	203.3	299.0	412.0	253.1
<hr/>				
Total Pits and Dumps - Existing				615.3
Total Pits and Dumps - Proposed				552.1
Roads (Existing = 7.1, proposed = 5.7)				12.8
Camps (Existing)				<u>18.0</u>
<u>Total Acres Disturbed</u>				1198.2

B Waste goes into backfilling existing pits

* Dump is superimposed on existing dump

Table 4.6-2 Existing Rhyolite-Covered Dumps To Be Ripped and Seeded

Dump	Area(acres)
Taurus	33.32 (1)
Sigma Emma	13.28 (1)
Blue Chalk	72.8 (2)
Rainbow	58.03 (2)

177.43

- (1) Taurus and Sigma Emma pits were ripped and seeded in 1987.
- (2) Blue chalk and Rainbow pits are scheduled to ripped and seeded in 1988 and 1989, respectively.

Table 4.6-3 Seed Mix for Rhyolite-Covered Dumps and Pits

Scientific Name	Common Name	lbs./acre
<u>Oryzopsis hymenoides</u>	indian ricegrass	2.0
<u>Melilotus officinalis</u>	yellow sweetclover	1.0
<u>Atrilex canscens</u>	fourwing saltbush	2.0
<u>Chrysothamnus nauseosus</u>	rabbitbrush	3.0
	Total	8.0

community with the planting of the additional species shown in Table 4.6-3. This revegetation effort is not expected to